IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No.9328 of 2005

Amita Ashok Choksi ..Petitioner

vs.

Ashok Sajanlal Choksi ..Respondent

Shri V.J.Hegade for petitioner.
Smt.V.S.Deshpande with Smt.Sushma Joshi i/b M/s Haresh Mehta and Co. for respondent.

CORAM: S.B.MHASE J.
17th March, 2006

P.C.

1. Heard both the learned Counsel.

2. It is brought on record that the annual turn over of the company is over Rs.100 crores but what is the actual profit of the company is not disclosed. The respondent has fairly admitted that he has 3.2% share in the said Company. However, that shows his potentiality but what is his actual income is not reflected. That could have been ascertained from the income tax returns. However, the income tax returns have not been brought on record by either side. The Court has assessed the amount of Rs.15,000/- p.m. by way of maintenance. Rightly so because the petitioner is alone and there is no one dependent on the petitioner. Presently this

amount is sufficient during the pendency of the litigation. She may file appropriate evidence and make out a case if she is required to claim permanent alimony under sec.25 when the family court matters comes up for final disposal. At present no interference is called for in the petition. Petition is rejected.

(S.B.MHASE J.)